



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HELEN SWARTZ,

Plaintiff,

- against -

GIRAFFE COMPANY INC., et al,

Defendants.
-----X

23-CV-3842 (RWL)

ORDER OF DISMISSAL

ROBERT W. LEHRBURGER, United States Magistrate Judge.

The Court having been advised by the parties that all claims asserted in this action have been settled in principle (Dkt. 55), it is ordered that the above-entitled action be, and hereby is, dismissed without costs (except as the parties may agree in settlement), provided, however, either party may apply by letter within 90 days to restore the action to the calendar. Any application to reopen must be filed within 90 days of this Order, and any application to reopen filed thereafter may be denied solely on that basis. If the parties wish for the Court to retain jurisdiction to enforce a settlement agreement, the agreement must be filed publicly, and an order of the Court must be entered to that effect within the ninety-day period. *See Hendrickson v. United States*, 791 F.3d 354, 358 (2d Cir. 2015). Any pending motions are moot and shall be terminated. The Clerk of Court is respectfully directed to terminate all pending motions, vacate all remaining conference dates and other deadlines, and close this case.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: February 21, 2024
New York, New York

Copies transmitted to all counsel of record.